



General Assembly

February Session, 2000

**Amendment**

LCO No. 4390

Offered by:

SEN. SULLIVAN, 5th Dist.

SEN. JEPSEN, 27th Dist.

SEN. HANDLEY, 4th Dist.

SEN. PRAGUE, 19th Dist.

To: House Bill No. 5583

File No. 658

Cal. No. 470

***"An Act Minimizing Air Emissions At Power Plants."***

1 Strike out everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "(NEW) (a) On and after January 1, 2003, any individual fuel  
4 burning unit in this state used to generate electricity that (1) was built  
5 prior to 1977, (2) has the installed capacity to generate greater than  
6 twenty-five megawatts, and (3) generates electricity for wholesale or  
7 retail sale through the combustion of fossil fuels shall comply with the  
8 following limitations regarding the rate of emission of the following  
9 substances: (A) For nitrogen oxides, not more than fifteen one-  
10 hundredths pounds per million British thermal units of heat input, and  
11 (B) for sulfur dioxide, not more than thirty one-hundredths pounds per  
12 million British thermal units of heat input. Such requirements shall be  
13 met year-round by such facility.

14 (b) The owner or operator of a facility may request of the

15 Commissioner of Environmental Protection a one-year extension to  
16 comply with the requirements of subsection (a) of this section due to  
17 circumstances beyond the control of the owner or operator, including,  
18 but not limited to, an imminent threat of a lack of energy capacity  
19 available to the state as determined by the Department of Public Utility  
20 Control or delays in obtaining a permit pursuant to section 22a-174 of  
21 the general statutes. When making such request, the owner or operator  
22 shall submit evidence of the owner's or operator's diligent efforts to  
23 comply with said requirements such as applications for and use of best  
24 efforts to obtain a required permit, orders for equipment to comply  
25 with subsection (a) of this section or section 22a-174 of the general  
26 statutes or efforts to reduce emission rates of air pollutants. The  
27 commissioner shall hold a public hearing and after holding such  
28 hearing may grant an extension. In granting such an extension, the  
29 commissioner shall make a written finding of cause for granting the  
30 extension. The commissioner shall not grant more than two one-year  
31 extensions for each such facility.

32 (c) The provisions of this section shall not be construed to limit the  
33 authority of the commissioner pursuant to section 22a-174 of the  
34 general statutes to impose stricter standards than those set forth in  
35 subsection (a) of this section.

36 (d) Not later than December 31, 2000, the owner or operator of each  
37 such facility shall submit to the commissioner a detailed plan on how  
38 the owner or operator will achieve the emission reductions set forth in  
39 this section. The commissioner may issue an order to the owner or  
40 operator to implement such plan. Such owner or operator shall comply  
41 with such order issued by the commissioner.

42 (e) Not later than January 1, 2002, and annually thereafter, the  
43 Department of Public Utility Control shall prepare a report on the  
44 amount of new generation capacity in excess of four megawatts in  
45 Connecticut added to the electric distribution network as well as on  
46 the initiation of construction of any such new electric generation  
47 facilities in Connecticut. Not later than January 1, 2003, and annually

48 thereafter, said department shall determine whether there exists an  
49 imminent threat of a lack of energy capacity available to the state."